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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/068,369	02/06/2002	Joachim Hagmeier	DE920000047US1	6141
25259	7590	01/04/2005	EXAMINER	
IBM CORPORATION 3039 COWNALLIS RD. DEPT. T81 / B503, PO BOX 12195 REASEARCH TRIANGLE PARK, NC 27709			YOUNG, JOHN L	
		ART UNIT		PAPER NUMBER
		3622		

DATE MAILED: 01/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	10/068,369	HAGMEIER ET AL.
	Examiner John L Young	Art Unit 3622

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1) Responsive to communication(s) filed on 06 February 2002.  
 2a) This action is **FINAL**.                            2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4) Claim(s) 1-10 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 1-10 is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1) Notice of References Cited (PTO-892)  
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)  
 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
     Paper No(s)/Mail Date \_\_\_\_\_

4) Interview Summary (PTO-413)  
     Paper No(s)/Mail Date \_\_\_\_\_

5) Notice of Informal Patent Application (PTO-152)

6) Other: \_\_\_\_\_

**NON-FINAL OFFICE ACTION REJECTION****DRAWINGS**

1. This application has been filed with drawings that are considered informal; however, said drawings are acceptable for examination and publication purposes. The review process for drawings that are included with applications on filing has been modified in view of the new requirement to publish applications at eighteen months after the filing date of applications, or any priority date claimed under 35 U.S.C. §§119, 120, 121, or 365.

**CLAIM REJECTIONS – 35 U.S.C. §103(a)**

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

2. Claims 1-10 are rejected under 35 U.S.C. §103(a) as being obvious over Wong US 6,119,933 (Sep. 19, 2000) (herein referred to as "Wong").

As per independent claim 1, Wong (FIG. 4, el. "Object 3:1") and el. "Object 3:2" discloses: a "*Back-end*" computer.

Wong (FIG. 2, el. "Object 1:7") discloses: "DBMS. . . ."

Wong (col. 2, ll. 3-5; and the ABSTRACT) discloses: "*frequency award point*" and "*A customer frequency, analysis and reward system. . . .*"

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Wong (FIG. 12) shows a “spreadsheet. . .”

Wong (FIG. 1) shows a “ communication link connecting [computers]. . .”

Wong (the ABSTRACT; FIG. 1; FIG. 2A; FIG. 2B; FIG. 3; FIG. 4; FIG. 5; FIG. 6A; FIG. 6B; FIG. 6C; FIG. 7; FIG. 8; FIG. 10; FIG. 11; FIG. 12; FIG. 14; FIG. 15; FIG. 16; FIG. 18; col. 1, ll. 4-67; col. 2, ll. 1-22; col. 2, ll. 42-67; col. 3, ll. 21-67; col. 4, ll. 5-67; col. 5, ll. 7-67; col. 6, ll. 1-67; col. 8, ll. 10-67; col. 1-67; col. 10, ll. 1-67; and col. 11, ll. 1-67) shows: “a back-end computer having a first database for storing loyalty . . . and user data. . .”

Wong lacks a showing of “a first database for storing loyalty rules . . . a front-end computer having a second database for storing loyalty rules . . . and connecting the back-end computer and the front-end computer for synchronization of the first and the second databases.”

It would have been obvious to a person of ordinary skill in the art at the time of the invention that the disclosure of Wong cited above would have been interpreted as showing: “a back-end computer having a first database for storing loyalty rules and user data . . . a front-end computer having a second database for storing loyalty rules and for storing user data and a spreadsheet engine for processing user transaction data in accordance with the loyalty rules; and . . . a communication link connecting the back-end computer and the front-end computer for synchronization of the first and the second databases. . .”, it would have been obvious at the time the invention was made to a

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person having ordinary skill in the art to modify and interpret the disclosure of Wong cited above in view of the knowledge of one or ordinary skill in the art as showing: “a back-end computer having a first database for storing loyalty rules and user data . . . a front-end computer having a second database for storing loyalty rules and for storing user data and a spreadsheet engine for processing user transaction data in accordance with the loyalty rules; and . . . a communication link connecting the back-end computer and the front-end computer for synchronization of the first and the second databases. . . .” because modification and interpretation of the cited disclosure of Wong would have provided means to “[keep] track of customer frequency award points. . . .” (see Wong (col. 2, ll. 3-10)) based on the motivation to modify Wong so as to “*encourage customers to participate in the system. . . .*” (see Wong (col. 2, ll. 3-10)).

Claim 2 is rejected for at least substantially the same reasons as claim 1. (NOTE: Wong (FIG. 4, el. “*Object 3:1*” ) and el. “*Object 3:2*” discloses: a “*Back-end*” computer; therefore in light of this disclosure, the Examiner interprets Wong as inherently showing a “Front-end computer.”

As per dependent claim 3, Wong shows the system of claim 2.

Wong (FIG. 1) discloses a “*P.O.S. DEVICE. . . .*”

Wong (col. 3, ll. 35-55) shows: “*credit card*” utilization.

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Wong (col. 9, ll. 47-61) discloses: “*Spreadsheet Net Sales*” and “*Dollars Sold* . . .”

Wong lacks an explicit showing of “wherein the point-of-sale terminal includes a computer program routine for triggering operation of the spreadsheet engine and a payment application program. . . .”; however, the Examiner interprets the above disclosures of Wong as showing “wherein the point-of-sale terminal includes a computer program routine for triggering operation of the spreadsheet engine and a payment application program. . . .”, and it would have been obvious at the time the invention was made to a person having ordinary skill in the art to interpret the disclosure of Wong as showing “wherein the point-of-sale terminal includes a computer program routine for triggering operation of the spreadsheet engine and a payment application program. . . .” because modification and interpretation of the cited disclosure of Wong would have provided means to “[keep] track of customer frequency award points. . . .” (see Wong (col. 2, ll. 3-10)) based on the motivation to modify Wong so as to “*encourage customers to participate in the system*. . . .” (see Wong (col. 2, ll. 3-10)).

As per dependent claim 4, Wong shows the system of claim 2 or claim 3.

Wong (FIG. 1) discloses a “front-end” “*P.O.S. DEVICE*. . . .”

Wong lacks an explicit showing of “wherein the point-of-sale terminal and the front-end computer are integrated into one device having a common display unit. . . .”;

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however, the Examiner interprets the above disclosures of Wong as showing “wherein the point-of-sale terminal and the front-end computer are integrated into one device having a common display unit. . . .”, and it would have been obvious at the time the invention was made to a person having ordinary skill in the art to interpret the disclosure of Wong as showing “wherein the point-of-sale terminal and the front-end computer are integrated into one device having a common display unit. . . .”; because modification and interpretation of the cited disclosure of Wong would have provided means to “[keep] track of customer frequency award points. . . .” (see Wong (col. 2, ll. 3-10)) based on the motivation to modify Wong so as to “*encourage customers to participate in the system. . . .*” (see Wong (col. 2, ll. 3-10)).

Claim 5 is rejected at least for substantially the same reasons as claim 1.

Claim 6 is rejected at least for substantially the same reasons as claim 1.

Claim 7 is rejected at least for substantially the same reasons as the “communication link” element of claim 1. (Also, see Wong (FIG. 1)).

Claim 8 is rejected for at least substantially the same reasons as claims 6, 7 & 3.

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Claim 9 is rejected for the same reasons as claim 1.

As per dependent claim 10, Wong shows the method of claim 9.

Wong (col. 5, ll. 35-55) discloses: “*award amount (i. e., ‘cost’) . . . processing.*”

Wong lacks an explicit showing of “determining a price to be paid by a customer in accordance with the loyalty rule; and . . . displaying the price on the display of a point-of-sale terminal. . . .”; however, the Examiner interprets the above disclosures of Wong as showing of “determining a price to be paid by a customer in accordance with the loyalty rule; and . . . displaying the price on the display of a point-of-sale terminal. . . .”, and it would have been obvious at the time the invention was made to a person having ordinary skill in the art to interpret the disclosure of Wong as showing of “determining a price to be paid by a customer in accordance with the loyalty rule; and . . . displaying the price on the display of a point-of-sale terminal. . . .”; because modification and interpretation of the cited disclosure of Wong would have provided means to “[keep] track of customer frequency award points. . . .” (see Wong (col. 2, ll. 3-10)) based on the motivation to modify Wong so as to “*encourage customers to participate in the system. . . .*” (see Wong (col. 2, ll. 3-10)).

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## CONCLUSION

3. Any response to this action should be mailed to:

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Any response to this action may be sent via facsimile to either:

(703)305-7687 (for formal communications EXPEDITED PROCEDURE) or

(703) 305-7687 (for formal communications marked AFTER-FINAL) or

(703) 746-7240 (for informal communications marked PROPOSED or DRAFT).

Hand delivered responses may be brought to:

Seventh Floor Receptionist  
Crystal Park V  
2451 Crystal Drive  
Arlington, Virginia.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to John L. Young who may be reached via telephone at (703) 305-3801. The examiner can normally be reached Monday through Friday between 8:30 A.M. and 5:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eric Stamber, may be reached at (703) 305-8469.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703)

Serial Number: 10/068,369

(Hagmeier et al.)

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305-3900.

John L. Young

Primary Patent Examiner

December 27, 2004

JOHN LEONARD YOUNG, ESQ.  
PRIMARY EXAMINER